CALL TO ORDER
1. Chair Comments Opening Remarks
2. Roll Call Clerk Calls the Roll

OLD BUSINESS
3. Meeting Minutes Adoption of December 2, 2008 Meeting Minutes

NEW BUSINESS
4. Resolution PC 01-09 A resolution nominating and electing the Planning Commission chairperson and vice chairperson for the 2009 calendar year.
5. Resolution PC 02-09 A resolution recommending the Planning Commission appointment to the Board of Zoning Appeals for the 2009 calendar year.
6. Resolution PC 03-09 Request to authorize an alteration/expansion of a nursing home special use located at 275 Keinle Drive.
7. Resolution PC 04-09 Request to authorize an alteration/expansion of a parking lot nonstandard use located at 275 Keinle Drive.

OTHER BUSINESS

ADJOURNMENT
9. Adjournment Adjourn Regular Session

WORK SESSION
10. Land Use Code Update Zoning Code Rewrite Work Session Initiative
CALL TO ORDER

6:00 P.M. - Chairman Spoltman called the meeting to order. Mr. Spoltman noted for the record the hearing of each item would be conducted according to a modified Roberts Rules of Order, more specifically as follows:

A. Clerk to State the Agenda Item
B. Staff Comments
C. Applicant/Agent Comments
D. Other Affected Parties Comments
E. Board Member Comments and Questions
F. Board To Take Action On The Item

ROLL CALL

Members Present: Chairman Spoltman, Mike Taylor, Jim Oda, Jean Franz, and Brad Bubp

Members Absent: None

Staff Members: Chris Schmiesing, Becky Cool

Attendees: David Pike, Bill Holtvogt, Mike Atwell, Eric Nelson, Ron Hertlein, Doug Klang, Martin Brown, Jim Betsakes, Frank Barhorst, Jim Hiegel

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the November 4, 2008 meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the November 4, 2008 meeting minutes as submitted, and Mrs. Franz seconded the motion. Mr. Oda, Aye: Mr. Bubp, Aye: Mrs. Franz, Aye: Mr. Spoltman, Aye; and Mr. Taylor, Aye. A roll call vote resulted in a 5-0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

1. PC-42-08

A request to authorize a cellular/communications tower as a special use to be located at 415 S. College Street.

Mr. Schmiesing stated the request by the applicant is to install a 125-foot tall cellular/communications tower on the subject parcel, with the location of the tower to be setback more or less 120 feet from the west lot line which is contiguous with the College Street right of way. As per a letter received and dated December 1, 2008, the tower height was revised to be a 125-foot tall tower instead of the previously stated 120-foot tower. The proposed tower will be owned and
operated by New Par, commonly known as Verizon Wireless, an FCC licensed wireless communications entity.

New Par has provided submittals declaring their intent to operate the proposed facility in compliance with all applicable code and regulations and to restrict transmissions to the operating frequencies and service area stipulated by their license issued by the FCC. New Par has also submitted a letter indicating the design capacity of the pole may accommodate up to three wireless providers, and affirmed that a lease opportunity for future co-locate tenants will be made available at industry standard rates and provided the poles design capacity is not compromised. Further, New Par has affirmed in writing that should the abandonment of the facility for communications purposes occur, New Par would dismantle and remove the structure within 180 days of the date of discontinuance.

The submittal was also forwarded to the Board of Zoning Appeals for their approval regarding the setback of the tower and was approved.

Mr. Schmiesing provided a copy of the Telecommunications Act Summary to the Board members.

David Pike a representative of Pike Legal, attorney representing Verizon Wireless introduced several other gentlemen in attendance that were there to answer any questions the board might have. Mr. Pike thanked Mr. Schmiesing and the Planning staff for all their help in putting together this project, and gave a brief overview of the placement of the wireless telecommunication facility in Piqua.

Bill Holtvoigt, 4 Hopewood Drive, property owner, gave a brief overview of the surrounding area and explained how the telecommunications tower would improve the area by locating there.

Eric Nelson, Network General Manager, explained the area the tower will cover and the design life of the structure.

There was discussion on the size of the tower, the type of buildings to be located at the tower, the type of trees that would be planted in the landscaped screening area, and the service area of the tower.

There was also discussion on the number of other co-existing services that could also be serviced by the tower.

Mr. Schmiesing suggested a landscape architect provide plans for screening. Mr. Oda voiced his opinion on the type of trees that are to be planted at the site.
Public Comment

Frank Barhorst, 220 S. Wayne, stated he previously was opposed to the tower but seeing how the improvements that are planned to the area around the tower he has since changed his mind.

No one else came forward to speak for or against the resolution.

Mr. Oda moved to approve the request with conditions as stipulated and testimony provided and outlined in the staff report, add a landscape plan and request slats be installed in the chain link fence. Mrs. Franz seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the request as stipulated.

2. PC-43-08

A request to authorize a restaurant, fast food, as a special use to be located at Suite 110, 646 W. Water Street.

Mr. Schmiesing stated this request is to authorize the restaurant fast food/carryout special use of the premise. The existing site includes a shared parking facility that provides the off-street parking required by code in accordance with applicable parking regulations. The proposed restaurant/carryout use will not include dine in or delivery options, rather it will be strictly a carryout type operation. This use is consistent with the surrounding retail commercial and services uses and other road service and commercial entertainment use found in the immediate vicinity. The economic policies of the City encourage productive use activities that contribute positively to the community, said Mr. Schmiesing.

There was discussion of the services Little Caesar’s Pizza will be offering at the Water Street location. There will be no dine-in seating or delivery at this location, only walk in and pickup.

Mike Atwell a representative of Little Caesar’s Pizza approached the lectern and stated he is looking forward to coming to Piqua. Little Caesar’s is planning to employ 20-30 young adults, and feels this is very compatible with a video store.

Mr. Bubp moved to approve the request, and Mr. Oda seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the request.
OTHER BUSINESS

Meeting Schedule

Mr. Schmiesing presented the 2009 Planning Commission Schedule.

All members present were in agreement with the 2009 Planning Commission Schedule.

Nominations

Mr. Schmiesing stated the at the January 2009 meeting the Planning Commission members will be asked to install 2009 chair and vice-chair persons and elect a 2009 Planning representative to the Board of Zoning Appeals. Also at some point in 2009 the Planning Commission will be asked to appoint a representative to a soon to be established Storm water Advisory Council. Mr. Schmiesing reminded Mrs. Franz, and Mr. Spoltman that their Board seats are up for renewal in March 2009.

There was discussion of the appointment of a representative from the Planning Commission to the new Storm Water Advisory Council sometime in 2009.

Monthly Report

Mr. Schmiesing stated he would provide an update to the Planning Commission on legislative items; planning activities, permit issuances and other items of interest to the Planning Commission that occurred over the previous two months at the next meeting.

ADJOURNMENT

With no further business to conduct it was moved and seconded that the regular meeting be adjourned. With all those present in favor the regular meeting was adjourned at 7:20 p.m. and a Zoning Code Update workshop began.
RESOLUTION No. PC 01-09

PURSUANT TO, article B-1.1 of the Planning Commission Procedures, Rules, and Regulations as originally adopted February 5, 2002, the Planning Commission Chairman and Vice-Chairman shall be elected annually; and,

WHEREAS, article B-1.1 of the Planning Commission Procedures, Rules, and Regulations states the Planning Commission shall appoint chairman and vice-chairman by a majority vote in the month of January, or at the first regularly scheduled meeting held during the calendar year; and,

WHEREAS, the Planning Commission has nominated ____________ as the chairman and ____________ as the vice-chairman and both have agreed to serve in this capacity if appointed by the Planning Commission;

NOW THEREFORE BE IT RESOLVED, board member ________ hereby moves to ________ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member ____________, and the voting record on this motion is hereby recorded as follows.

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RESOLUTION No. PC 02-09

PURSUANT TO, article 154.142(A)(2) of the City of Piqua Code of Ordinances, the Planning Commission has been asked to provide their recommendation for the 2009 Planning Commission representative to be appointed to the Board of Zoning Appeals; and,

WHEREAS, __________ has been nominated by the Planning Commission and agreed to serve in this capacity if appointed by the City Commission;

NOW THEREFORE BE IT RESOLVED, board member __________ hereby moves to _______ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member __________, and the voting record on this motion is hereby recorded as follows.

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RESOLUTION No. PC 03-09

WHEREAS, Poggemeyer Design Group, on behalf of the owner, HCR ManorCare, of the subject location in the city of Piqua, Ohio, being in a district zoned R-3 (Multi-family Residential District), has submitted a request to permit an alteration/expansion of a nursing home special use of the premise located at 275 Keinle Drive; and,

WHEREAS, section 154.140 of the City of Piqua Code of Ordinances provides the procedure for authorizing the alteration/expansion of a special use of a premises by approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member _______ hereby moves to _________ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member ________, and the voting record on this motion is hereby recorded as follows.

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STAFF REPORT

Date: December 22, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: PC Resolution 03-09

GENERAL INFORMATION
Applicant: Poggemeyer Design Group
Owner: HCR Manorcare
Location: 275 Keinle Drive
Zoning: R-3 Multi-family Residential
Land Use
   Existing: Nursing home; parking lot
   Proposed: Nursing home; parking lot
Request: Authorization of alteration/expansion of building entrance.

DISCUSSION/FINDINGS
This request is to authorize the alteration/expansion of the public entrance to the principal structure. The existing entrance includes a portico that extends from the main building towards the parking area. The proposed improvements would extend the portico to a newly created drop off/pick-up area within the parking facility. The eight parking spaces being displaced by the newly created drop off/pick-up area will be relocated to a new parking area to be created along a service drive to the north of the nursing home facility.

The zoning code includes criteria to be given specific consideration when determining whether to authorize a special use. The following highlights the criteria described in the code and provides staff’s analysis of how this request measures up to those standards.

The proposed special use is compatible with the stated intent of the zoning district?

   Staff Analysis: The current nursing home use, being a special use in this district, was previously authorized by a special use permit, thus it has been deemed compatible with the stated intent of this district.

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?
Staff Analysis: The proposed alteration/enlargement is of a minimal scale and will have little or no effect on the surrounding uses.

The proposed special use is compatible with the general economic development policies of the city?

Staff Analysis: The economic policies of the City encourage productive use activities that contribute positively to the community.

The proposed special use conforms to all other applicable codes and regulations of the city?

Staff Analysis: The improvements will be subject to compliance with all applicable zoning and building code requirements.

COMPREHENSIVE PLAN

The goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of altering and expanding existing uses that contribute positively to the community.

CONCLUSION

The proposed alteration/expansion at this location will not in any way threaten the general health, welfare, or surrounding property values, and is appropriate for this location.

RECOMMENDATION

Staff recommends that the Planning Commission approve this request.
CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant’s Name: ROGGERHOFER DESIGN GROUP Phone: 419-352-7537
   Applicant’s Address: 168 N. MAIN STREET, BOWLING GREEN, OHIO 43402

2. Owner’s Name: J.R. MANAGER Phone: 
   Owner’s Address: 333 N. SUMMIT ST., TOLEDO, OHIO 43605

3. Type of legal interest held by applicant: ARCHITECT

4. Location of Special Use Permit request
   A. Legal description (Inlot No. or attach legal description): ATTACHED
   B. Address: 275 KEENLY DRIVE, PIQUA, OHIO 45356

5. Existing zoning: R-3, MULTI-FAMILY RESIDENTIAL

6. Existing usage: NURSING AND REHABILITATION CENTER

7. Proposed usage: SAME

8. Proposed special usage: SAME

9. No. of plot plans submitted (16 required UNLESS waived): 16

10. Describe the reason for the requested special use: EXPANSION OF EXISTING CANOPY

I hereby certify that the proposed request is authorized by the “Owner of Record” and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant: 
Date: 10/8/08

Signature of Owner: 
Date: 

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

*************************** OFFICE USE ONLY ***************************

$100.00 Fee Paid 
Date Fee Paid 

Receipt No. 
P.C. Res. No. 

RECEIVED 
DEC 18 2008
CITY OF PIQUA DEVELOPMENT OFFICE
RESOLUTION No. PC 04-09

WHEREAS, Poggemeyer Design Group, on behalf of the owner, HCR ManorCare, of the subject location in the city of Piqua, Ohio, being in a district zoned R-3 (Multi-family Residential District), has submitted a request to permit an alteration/expansion of a parking lot nonstandard use of the premise located at 275 Keinle Drive; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for authorizing the alteration/expansion of a nonstandard use of a premises by approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member [Name] hereby moves to [Decision] the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member [Name], and the voting record on this motion is hereby recorded as follows.

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STAFF REPORT

Date: December 22, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: PC Resolution 04-09

GENERAL INFORMATION

Applicant: Poggemeyer Design Group
Owner: HCR Manorcare
Location: 275 Keinle Drive
Zoning: R-3 Multi-family Residential
Land Use
  Existing: Nursing home; parking lot
  Proposed: Nursing home; parking lot
Request: Authorization of alteration/expansion of nonstandard parking lot.

DISCUSSION/FINDINGS

This request is to authorize the alteration/expansion of the parking facility at this location. The existing parking facility as is and as proposed provides the minimum number of parking spaces required for this use. However, both the existing and proposed portions of the parking facility lack boundary control, i.e. curbing. Therefore, prior to any alteration/enlargement of the nonstandard use condition, the planned improvements must be approved by the Planning Commission. The proposed parking lot improvements will be completed as part of a larger project that includes creating a drop off/pick-up zone adjacent to a portico that will be constructed from the main building to the parking area.

The zoning code includes criteria to be given specific consideration when determining whether to authorize a special use. The following highlights the criteria described in the code and provides staff's analysis of how this request measures up to those standards.

Effects on adjacent property, traffic, and city utility service needs?

Staff Analysis: The proposed improvements will have no effect on the adjacent property, traffic, and city utility services.

Density of land use zoning for the subject property and adjacent property?
Staff Analysis: The existing and proposed improvements will be compliant with the density requirements for this area.

Degree of hardship on applicant that would be caused by failure to grant permit?

Staff Analysis: The degree of hardship caused by a failure to grant the permit would be minimal, as the proposed project merely enhances an existing permitted reasonable use of the land.

The proposed special use is compatible with the stated intent of the zoning district?

Staff Analysis: The parking lot accessory use is compatible with the stated intent of this district.

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

Staff Analysis: The proposed alteration/enlargement is of a minimal scale and will have little or no effect on the surrounding uses.

The proposed special use is compatible with the general economic development policies of the city?

Staff Analysis: The economic policies of the City encourage productive use activities that contribute positively to the community.

The proposed special use conforms to all other applicable codes and regulations of the city?

Staff Analysis: The improvements will be subject to compliance with all applicable zoning and building code requirements.

COMPREHENSIVE PLAN

The goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of altering and expanding existing uses that contribute positively to the community.

CONCLUSION

The proposed alteration/expansion at this location will not in any way threaten the general health, welfare, or surrounding property values, and is appropriate for this location.

RECOMMENDATION

Staff recommends that the Planning Commission approve this request.
CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name: ROGGMeyer DESIGN GROUP
   Phone: 419-352-7537
   Attn: JASON Conort
   Applicant's Address: 168 E. MAIN STREET, BOWLING GREEN, OHIO 43402

2. Owner's Name: HR Manicare
   Phone: 
   Owner's Address: 333 N. SUMMIT ST., TOLEDO, OHIO 43605

3. Type of legal interest held by applicant: ARCHITECT

4. Location of Special Use Permit request:
   A. Legal description (Lot No. or attach legal description): ATTACHED
   B. Address: 275 KENNER DRIVE, PIQUA, OHIO 45356

5. Existing zoning: R-3, MULTI-FAMILY RESIDENTIAL

6. Existing usage: NURSING AND REHABILITATION CENTER

7. Proposed usage: SAME

8. Proposed special usage: SAME

9. No. of plot plans submitted (16 required UNLESS waived): 16

10. Describe the reason for the requested special use:
    EXPANSION OF EXISTING CARE

I hereby certify that the proposed request is authorized by the "Owner of Record" and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant: [Signature] Date: 10/8/08

Signature of Owner: [Signature] Date: 

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

----------------------------- OFFICE USE ONLY -----------------------------

$100.00 Fee Paid: [Date] Date Fee Paid: [Date]

Receipt No.: [Number] P.C. Res. No.: [Number]

RECEIVED

DEC 10 2008
CITY OF PIQUA
DEVELOPMENT OFFICE
December 23, 2008

*** MEETING NOTICE ***

Please be advised that the City of Piqua Planning Commission will conduct a meeting at the time and location stated below.

TIME: 6:00 P.M.
DATE: Tuesday, January 6, 2009
LOCATION: 2nd Floor Conference Room, Municipal Government Complex
201 W. Water Street

This letter serves to notify those persons who may have an interest in an agenda item to be discussed at this meeting. To view the Planning Commission packet in its entirety, visit http://www.piquaoh.org/agenda_plan_comm.htm or visit this office.

This is your opportunity to speak in favor of, or object to, any item requested. If you desire to state your opinion concerning this matter and will be unable to attend the meeting, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

Please contact this office if you have any questions pertaining to this notice.

Chris Schmiesing
Christopher W. Schmiesing
City Planner
Enc.
### JANUARY 6, 2009
### PLANNING COMMISSION
### MAILING LIST

<table>
<thead>
<tr>
<th>RESOLUTION</th>
<th>NAME</th>
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<td>PIQUA OH 45356</td>
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<td>301 KIENLE DR</td>
<td>PIQUA OH 45356</td>
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<td>333 N SUMMIT ST</td>
<td>TOLEDO OH 43604</td>
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<td>PIQUA OH 45356</td>
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<td>RES 03-09, PC 04-09</td>
<td>RED INVESTMENTS LIMITED LIABILITY COMPANY</td>
<td>6340 E ST RT 41</td>
<td>TROY OH 45373</td>
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<td>RES 03-09, PC 04-09</td>
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<td>RES 03-09, PC 04-09</td>
<td>POOGYM EYER DESIGN GROUP</td>
<td>1168 N MAIN ST</td>
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**ENTIRE PACKET TO:**
- FRED ENDERLE
  - INTER-OFFICE MAIL
- CHRIS SCHMIESING
  - INTER-OFFICE MAIL
- PLANNING COMMISSION
  - REGULAR MAIL

**E-MEETING NOTICE TO:**
- AMY WELKER
  - EMAIL
- CHRIS BOEKE
  - EMAIL
- CITY COMMISSION
  - EMAIL
- DEAN BURCH
  - EMAIL
- DEBBIE STEIN
  - EMAIL
- FRED ENDERLE
  - EMAIL
- HARRY BLUMGARNER
  - EMAIL
- LORNA SWISHER
  - EMAIL
- MARTIN KIM
  - EMAIL
- STACY WALL
  - EMAIL
- AMY HAVENAR
  - EMAIL
- BRUCE JAMISON
  - EMAIL
- PIQUA DAILY CALL
  - EMAIL
- DAYTON DAILY NEWS
  - EMAIL
- WPTW
  - EMAIL
- PIQUA CHANNEL 5
  - EMAIL